

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-60595-CIV-COHN/HUNT
(Case No. 21-60052-CR-COHN)

WILSON PORTER,

Movant,

vs.

UNITED STATES OF AMERICA,

Respondent.

_____ /

ORDER ADOPTING REPORT OF MAGISTRATE JUDGE

THIS CAUSE is before the Court upon the Report and Recommendation [DE 9] (“Report”) submitted by United States Magistrate Judge Patrick M. Hunt regarding Movant Wilson Porter’s Motion to Vacate Sentence Pursuant to 28 U.S.C. § 2255 [DE 1] (“Motion”). The Court has reviewed the Motion, the Report, and the record in this case, and is otherwise advised in the premises. The Court notes that Movant did not file objections to the Report, and the deadline for doing so has passed. Upon careful consideration, the Court will adopt the Report in its entirety and deny the Motion on the merits.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:


1. The Report and Recommendation [DE 9] is **ADOPTED** in its entirety;
2. The Motion to Vacate Sentence Pursuant to 28 U.S.C. § 2255 [DE 1] is

DENIED;

3. Pursuant to Rule 11 of the Rules Governing Section 2255 Cases, Movant is hereby **DENIED** a certificate of appealability because Movant has failed to make a substantial showing that he was denied a constitutional right. The Court notes that pursuant to Rule 22(b)(1) of the Federal Rules of Appellate Procedure, Movant may request issuance of a certificate of appealability from the Eleventh Circuit; and

4. The Clerk of Court is directed to **CLOSE** this case and **DENY as moot** all pending motions.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this 4th day of April, 2024.



JAMES I. COHN
United States District Judge

Copies provided to:
Magistrate Judge Patrick M. Hunt
Counsel of record via CM/ECF
Pro se parties via U.S. mail to address on file